

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
AUGUST 21, 1963

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, August 21, 1963. Councilman Brown, Culbertson, Dow and Katzakian (Mayor) present. Ullmann absent.

Also present: City Manager Graves, Administrative Assistant Carlton, Planning Director Rodgers and City Attorney Mullen.

MINUTES On motion of Councilman Brown, Culbertson second, the Minutes of July 31, 1963 and August 7, 1963, were approved as written and mailed after correcting the Minutes of August 7, 1963, by changing the word "residents" to "residences" in the ninth line from the bottom of page 2.

PUBLIC HEARINGS

JOHN CAPELL Mr. John Capell, 324 La Vida Drive, reported that
RE LACK OF he had received a letter from Planning Director
STORM DRAINAGE Rodgers informing him that the Erich Park Unit
& SANITARY No. 2 had been rejected by the Planning Commission
LINES because of lack of storm drainage facilities and
 because of sanitary sewer problems. Mr. Capell
 cited the difficulties encountered in getting
 approval from FHA for the Westdale Subdivision,
 and was not certain, but hoped to get FHA approval
 for Erich Park Unit No. 1. FHA had informed him
 that before making any more commitments in Lodi,
 they would have to study the capacity of the
 sewage plant. He had been told by Mr. Rodgers
 that until sanitary sewer and storm drain problems
 were solved there was no land that could be made
 available for subdivisions. Mr. Capell stated
 that according to present demands for housing,
 the present supply of lots will be exhausted within
 six months. In his opinion, 40% of the City's
 economy will be affected by the cessation of sub-
 division development; it is therefore urgent that
 action be taken to solve the sewage and storm
 drainage problems. Mr. Capell said he was not
 criticizing the Council, but was using this means
 to bring the urgency of the situation before the
 citizens of the community. Councilman Dow wanted
 to know what was being done about the Capital
 Improvement Program and said he would like to have
 technical data on all phases of the program. City
 Manager Graves said the problem is to get the
 public interested and the Civic Affairs Committee
 of the Chamber of Commerce was making plans to
 inform the public of the City's needs. He said
 the sanitary sewer system was back on schedule
 which indicates construction of a new plant in
 1965. Preliminary plans could be drawn in five or
 six months and he recommended that Mr. Yoder be
 instructed to start work thereon. Councilmen Brown
 and Culbertson indicated that the Council should
 hold special meetings as soon as possible to
 review the program and get a composite picture of
 the City's needs. Councilman Culbertson moved that
 consideration of the Capital Improvement Program
 be tabled to a special meeting and that said meeting
 be held on August 28 to review all phases of the
 program. The motion was seconded by Councilman
 Dow and carried unanimously.

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PLANNING COMMISSION

- ACTIONS The following actions of the Planning Commission were reported:
1. Rejected the tentative map of the Lakewood Subdivision, Unit No. 1, because of undesirable street and lot patterns.
 2. Rejected the tentative map of the Erich Park Subdivision, Unit No. 2, because of the lack of storm drainage facilities to serve the area.
 3. Approved a variance for Mr. Eddie Henson to construct an attached garage on the property line at 520 East Lodi Avenue in the C-2 general commercial zone.

COMMUNICATIONS

- APPEAL RE
LAKEWOOD SUBD.
TENT. MAP A letter was read from Ted Schneider Jr. appealing the decision of the City Planning Commission which rejected the map of the Lakewood Subdivision Unit No. 1. Councilman Culbertson moved that the appeal be considered at the meeting of September 4, 1963 and that a report thereon be submitted by the Planning Commission. The motion was seconded by Councilman Dow and carried.
- FALSE ARREST
CLAIM Notice was received from Cain and Walton, Attorneys, of a false arrest claim made on behalf of Frank Lopez of Thornton against two City police officers. The matter was referred to the City Attorney on motion of Councilman Brown, Culbertson second.
- ABC LICENSE Notice was received of application for Alcoholic Beverage License, On Sale Beer and Wine, by James A. Smith, The Pioneer, 103 East Pine Street.

REPORTS OF THE CITY MANAGER

- CLAIMS On motion of Councilman Culbertson, Dow second, claims in the amount of \$182,927.80 were approved by the City Council.
- CONTRACT WITH
COUNTY RE
TURNER RD
PAVING City Manager Graves presented a proposed agreement between the City and the County for the paving of Turner Road between Stockton Street and Highway 99. The County agrees to pay 50% of the costs to cover the portion of Turner Road which is in the County. Councilman Brown moved the adoption of Resolution No. 2649 approving the agreement and authorizing its execution by the Mayor. The motion was seconded by Councilman Culbertson and carried.
- RES. NO. 2649
ADOPTED
- ESTABLISH
RED ZONE AT
SP DRIVEWAY The Southern Pacific Company has requested that the parallel parking stall east of the freight office driveway on the south side of Elm Street be eliminated to afford better use of this drive. When the stall is occupied, trucks leaving the Southern Pacific property have difficulty making the turn onto Elm Street without crossing the center line of the street. During the Council discussion it was suggested that the Company might find it to its advantage to widen the driveway to 25 feet. Councilman Dow moved the adoption of
- RES. NO. 2650
ADOPTED

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Resolution No. 2650 eliminating the parking stall on the south side of Elm Street immediately east of the Southern Pacific driveway and establishing a parking zone therein and further that approval be given to widening said driveway to 25 feet if the Company so desires. The motion was seconded by Councilman Brown and passed by unanimous vote.

BID ON
GENERATORS
TABLED

Only one bid was received on rehabilitation of two Government Surplus generators in the amount of \$18,099.35 from R & L Diesel Service in Stockton. The bid was higher than expected and the City Manager recommended that action thereon be tabled to the next regular meeting. On motion of Councilman Dow, Culbertson second, the matter was tabled to the meeting of September 4, 1963.

SPECS -
FIRE DEPT.
TRUCK

Separate specifications for a new cab and chassis and for the transfer of the body from the old fire truck onto the new chassis were presented. The City Manager suggested that alternate bids be accepted providing for the furnishing of the cab and chassis and installation of the body thereon in one bid as he said a better bid might be received in the event one firm could do both. On motion of Councilman Culbertson, Dow second, specifications above mentioned were approved and also alternate specifications as recommended by the City Manager and calling for bids authorized by unanimous vote of the Council.

AWARD -
RADIO ALERT-
ING SYSTEM

RES. NO. 2651
ADOPTED

City Manager Graves reported that one bid had been received for the Fire Department radio alerting system which was from the Air Borne Electronics company for a total of \$4,301.88, which was in line with the amount budgeted. On motion of Councilman Dow, Culbertson second, the City Council adopted Resolution No. 2651 awarding the contract for the radio alerting system to Air Borne Electronics.

SUPPLEMENTAL
AGREEMENT -
TURNER ROAD
UNDERPASS

RES. NO. 2652
ADOPTED

A supplemental agreement has been received from the State Division of Highways which provides for reimbursement to the City on the final costs of the Turner Road Underpass which exceeded the estimated cost. Under the agreement the City will receive an additional \$4,152.38 from the State Grade Separation Fund. Councilman Brown moved the adoption of Resolution No. 2652 approving the supplemental agreement with the State and authorizing its execution by the Mayor. The motion was seconded by Councilman Dow and carried.

DRIVEWAY -
320 SOUTH
SACRAMENTO

Mr. Frank Guglimetti has requested permission to enlarge a 10-foot driveway to 30 feet at 320 South Sacramento Street where he proposed to erect a commercial building. The driveway would provide access to a parking lot at the rear of the building. The Engineering Department has recommended that the request be granted. On motion of Councilman Culbertson, Dow second, the Council approved the enlargement of an existing driveway at 320 South Sacramento Street to 30 feet.

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SPECS -
SUBDIVISION
PAVING 1963

Specifications for the Subdivision Paving Project 1963 were presented for Council approval. This includes certain streets in Cherrywood Park, Pietzke and Wohl Minor Subdivisions, Benson Manor Units 1 and 2, Eunice Glen, Kristmont Acres Unit No. 3, Glenhurst Place No. 1, and Willow Glen Units No. 2 and 3. The Council approved the specifications for this project and authorized advertising for bids on motion of Councilman Culbertson, Brown second.

SALARY SURVEY
RES. NO. 2653
ADOPTED

Mr. Graves stated that for the past few years the Council has considered employees salaries in August; however, he has been unable to complete the present survey since he has not received answers from all the cities being contacted and recommends that any action taken by the Council in September be made effective as of August 1. Councilman Dow moved the adoption of Resolution No. 2653 determining that any action taken by the Council in September concerning employee salaries be made effective August 1, 1963. The motion was seconded by Councilman Culbertson and carried.

FIRE HYDRANT
AT 620 W. ELM

City Manager Graves reported on the information received from the Engineering Department concerning the request of Mrs. Mary Riggle that a fire hydrant in the area of her garage driveway at 620 West Elm Street be moved. The City had offered to move the hydrant a few feet so that it would not be in the way of the driveway, but Mrs. Riggle would prefer not to have it in front of her property. It will cost the City approximately \$328 to move the hydrant a few feet so that it will not be in the driveway area. The Council agreed that the City could not move the hydrant just to please someone, but that from the standpoint of safety the City should move the hydrant from in front of the driveway. Councilman Culbertson moved that the hydrant be moved sufficiently to correct the hazard and that any curb work necessary be done also. The motion was seconded by Councilman Brown and carried.

BLAKELY PARK
POOL EQUIPMENT

A sum of \$600 was budgeted to provide ladders at Blakely Park pool, but the Recreation Department has been able to obtain new ladders at half that amount because of a business which had gone bankrupt. They would also be able to buy a \$400 slide for \$300 on the same basis and are requesting that the money saved on the ladders be used for this purpose. The City Manager recommended that the slide be purchased. On motion of Councilman Dow, Brown second, the City Council authorized the purchase of a slide for Blakely Pool with the balance of the money remaining from that budgeted for the ladders.

BALLIET
HOUSE

Mr. Graves gave a report on the Balliet house at 701 South Cherokee Lane as requested at the previous Council meeting. The property is presently being handled by Bank of America, 343 East Main Street, Stockton, and the Building Department has a letter from the Bank stating that the building is vacant and the bank does not intend to rent it. As matters stand, unless there is evidence that the residence is a nuisance, the City cannot do anything about its condition. However, the City

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Manager said that he would make an informal suggestion that the house be boarded up and the Council agreed that this should be done.

1963-64 TAX
RATE

City Manager Glaves said that the present budget could be balanced with a tax rate of \$1.00; however he suggested that the Council might wish to consider raising the Library portion of the tax by 12¢ in order to build up a fund to provide for a new library in eight or ten years on a pay-as-you-go basis. The advisability of raising taxes on the least popular item in the 1962 bond issue was discussed. Since the Capital Improvement Program is to be considered at a special meeting on August 28, it was moved by Councilman Culbertson, Dow second, that setting of the 1963-64 tax rate be tabled to that meeting. Motion carried.

FALSE
ARREST
SUIT

City Attorney Mullen reported that he had been approached by the attorney for Ronald Criss in the false arrest suit against officers Norman Mauch and Miles Sperling concerning the possibility of getting the case settled out of court for \$2500. It would cost around \$1500-2000 for preparation of the case and possibly three days of trial. He suggested that the Council go into executive session to consider what action should be taken.

FINANCING
SUBDIVISIONS
UNDER 1911
IMPROVEMENT
ACT

Mr. Mullen stated that certain property owners were interested in financing subdivision improvements under the 1911 Act. In general terms, the property owner files a petition with the City Council asking for the formation of an assessment district for the improvements; the Council has the prerogative of accepting or rejecting the request, but in the event the Council elects to form the district, bonds would be issued and sold and the money turned over to the City to make the improvements. The City charges all costs, including engineering, Finance Department costs, etc., against the district. The bonds are a lien against the land and as the lots are sold become the responsibility of the individual property owners.

EXECUTIVE
SESSION

The Council went into executive session to consider the proposal of Ronald Criss' attorney previously mentioned by the City Attorney.

There being no further business the Council adjourned to 8 p.m. of August 28, 1963.

Beatrice Garibaldi
Attest: BEATRICE GARIBALDI
City Clerk